

Application S/N 10/649,571
Amendment Dated: May 9, 2006
Response to Office Action dated: December 13, 2005

CE11849JME

REMARKS/ARGUMENTS

Claims 1-15 and 20-22 remain pending in the application, as Applicants affirm the election of these claims without traverse. Although claims 16-19 have been withdrawn from consideration here, Applicants reserve the right to present these claims in a subsequent application. In the Office Action, the Examiner noted that if claims 1 and 2 were allowed, claims 21 and 22 would be objected to based on double patenting. Applicants have amended independent claim 20, from which claims 21 and 22 depend, and submit that the amendment overcomes the double patenting rejection. Also, claim 11 was objected to because of an antecedent basis issue. Applicants have amended claim 11 to overcome the objection. The claims were also objected to because the Examiner held that the least restrictive claim, claim 20, was not presented as claim 1. Applicants have amended claim 20 and submit that the amendment overcomes the Examiner's objection.

The Examiner also objected to claim 3 because the Examiner held that claim 3 was in improper dependent form for failing to further limit the subject matter of a previous claim. Applicants respectfully disagree with the Examiner. Applicants point out that claim 3 includes the element "...said first slot and said second slot further lock said first projection and said second projection as said plate is turned from said first position to said second position." This element further defines the structure of claim 1 by limiting its locking action to when the plate is *turned*, a limitation that is not recited in claim 1. As such, Applicants contend that claim 3 further limits the claim from which it depends and request the withdrawal of the objection.

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Also in the Office Action, claims 1-10, 13-15 and 20-22 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,167,465 to Inui (Inui). Claims 1, 11 and 12 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,299,870 to Humble (Humble).

Independent claims 1 and 15 have been amended to clarify that the first slot of the base runs at least substantially along a first axis that is at a predetermined, non-perpendicular angle with respect to a vertical axis of the base. Support for the amendment can be found in FIGs. 4, 6 and 7 and on page 10, lines 3-8. Independent claims 1 and 20 have been further amended to clarify that the first slot and the second slot respectively detachably receive the first projection and the second projection when said plate is in a first position. Support for the amendments can be found in FIG. 6 and on page 11, line 23 to page 12, line 5. No new matter has been added in view of these amendments.

In contrast, the fitting portion (1) of Inui, which the Examiner has attempted to equate with the base of claims 1 and 15, contains a first slot (11) and a second slot (14) that are perpendicular to a vertical axis of the fitting portion (1). Similarly, the base (12) of Humble has a first slot (46) that runs along an axis that is perpendicular to a vertical axis of the base (12). The construction of the present invention, through the offsetting of the first and second slots, allows a user to easily couple and detach the plate from the base with relatively little movement. The Inui and Humble references, however, require lengthy rotational movements to decouple the relevant components in view of their slots being perpendicular to the vertical axes of the base.

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Moreover, the Humble reference does not show first and second slots that respectively engage first and second projections in a first position. While the flanged boss (47) and the rib (43) of Humble engage the cavity (45) and the notch (49) in a second position, the rib (43) is clearly not engaged or otherwise received by the notch (49) in any position different from the second position (see FIGs 2 and 6).

Independent claims 14 and 20 have been amended to clarify that a decorative image is positioned on the second surface area of the plate. Support for the amendment can be found in FIG. 1 and on page 7, lines 1-14, and no new matter has been added in view of these amendments. Inui and Humble simply do not show suggest or contemplate such a feature, and there is no motivation or suggestion in either of those references to do so. The claimed invention allows a user to easily switch between plates having different decorative images.

As such, Applicants submit that independent claims 1, 14, 15 and 20 are patentable over the prior art. Applicants also believe that those claims that depend from these independent claims are patentable, both based on their dependencies on the independent claims and their patentability on their own. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

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In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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